

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CARMELO RIVERA,

Petitioner,

v.

SUPERINTENDENT OF SCI
HUNTINGDON et al.,

Respondents.

CIVIL ACTION
NO. 15-4859

ORDER

AND NOW, this 13th day of May 2016, upon consideration of Petitioner's Petition for a Writ of Habeas Corpus (Doc. No. 3), Respondents' Response to the Petition (Doc. No. 15), the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (Doc. No. 16), and that the Report and Recommendation has not been objected to by the parties, it is **ORDERED** that:

1. The Report and Recommendation (Doc. No. 16) is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. No. 3) is **DENIED**.
3. A Certificate of Appealability **SHALL NOT** issue because, based on the analysis contained in the Magistrate Judge's Report and Recommendation, as approved and adopted by this Court, a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the Habeas Petition. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).
4. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.